

Carlos Hernández
Mayor

Isis Garcia-Martinez
Council President

Luis González
Council Vice President



Council Members

Jose F. Caragol
Paul B. Hernández
Vivian Casáls-Muñoz
Katharine E. Cue-Fuente
José Yedra

City Council Agenda October 11, 2011 7:00 P.M.

Call to Order/Roll Call of Councilmember's

Invocation given by David Concepcion, Acting City Clerk

Pledge of Allegiance led by Katharine Cue- Fuente

ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK

The following guidelines have been established by the City Council:

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.

Presentations –

Proclamation of the Mayor declaring October 11, 2011, "Hialeah Roller Rink Day" in the City of Hialeah, celebrating the contributions of the Roy and Ruth Rabold to our community.

Award of Merit presented to Josh Edelstein, Publix, for his support of public safety personnel and the Hialeah Police Department.

1. Announcement of Amendments/Corrections to the Agenda (if any)
2. Consent Agenda –
 - A. Request permission to award Hialeah Bid # 2010/11-3230-00-046 for the Palm Center Parking Garage- Light Fixtures to the lowest responsive bidder, to HD Supply Electrical, LTD, for the Palm Center Parking Garage – Light Fixtures project, for a total amount not to exceed \$87,020. (CONSTRUCTION AND MAINTENANCE AND GRANTS & HUMAN SERVICES DEPT.)
 - B. Request permission to award Hialeah Bid # 2010/11-3230-00-026 for the Palm Center Parking Garage- Fire Line/ Water Loop to the lowest responsive bidder, to JVA Engineering

Contractor, Inc., for a total amount not to exceed \$126,000. (CONSTRUCTION AND MAINTENANCE AND GRANTS & HUMAN SERVICES DEPT.)

- C. Request permission to issue a purchase order to Demolition Masters, lowest responsive and responsible bidders, since it is advantageous to the City, for the demolition at the 36- Unit Elderly Housing Project, for a total amount not to exceed \$15,950. (CONSTRUCTION AND MAINTENANCE AND GRANTS & HUMAN SERVICES DEPT.)
- D. Request permission to award Roadway Improvements for West 24 Avenue from, 52nd to 60th Street, since it is advantageous to the City, to Williams Paving Co, Inc. who has agreed to extend their current unit pricing used in Miami-Dade County Bid # 20100394, for a total amount not to exceed \$1,682,655.90. (STREETS DEPT. AND GRANTS & HUMAN SERVICES DEPT.)
- E. Request permission to award Bid #2010/11-3210-00-049, Roadway Reconstruction of West 10th to 12th Avenue from, 23rd to 26th Street, since it is advantageous to the City, to Horizon Contractors, Inc., for a complete right-of-way reconstruction to the aforementioned area, for a total amount not to exceed \$999,118.94. (STREETS DEPT. AND GRANTS & HUMAN SERVICES DEPT.)
- F. Request permission to waive competitive bids, since it is advantageous to the City, and issue purchase order to Power Depot, Inc., to rent two (2) trailer mounted generators for temporary power at the Reverse Osmosis Water Treatment Plant, until FPL connects the facility to a permanent power source, for a total amount not to exceed \$31,292. (WATER AND SEWERS DEPT.)
- G. Request permission to issue a purchase order to SRS Engineering, Inc., to provide services on the design of four well sites and related piping to complete the preparation of construction plans and specifications for the construction of a 6-inch sewer force main to serve the RO Water Treatment Plant, for a total amount not to exceed \$29,330. SRS Engineering, Inc. is one of the companies approved by the City Council to provide Construction Engineering & Inspection and Construction Management (CEI/CM) Services. (WATER AND SEWERS DEPT.)
- H. Request permission to issue a purchase order to Metric Engineering, Inc., to provide services on the design and construct the electrical services to production wells 2, 3, 4, and 10, in order to complete the design of these wells and save time in the construction of the same, for a total amount not to exceed \$32,549. Metric Engineering, Inc. is one of the companies approved by the City Council to provide Construction Engineering & Inspection and Construction Management (CEI/CM) Services. (WATER AND SEWERS DEPT.)
- I. Request permission to amend the contract issued to Parsons Water and Infrastructure, Inc. (Parsons), the firm selected by the City Council to perform engineering activities, including the drafting of the Request for Qualifications (RFQ) and Request for Proposals (RFP) to select a Design-Build-Operate (DBO) contractor for the 17.5 MGD Reverse Osmosis Water Treatment Plant, and issue a purchase order to Parsons for Task F scope of services; Task F consists of assisting the City in the preparation of plans and specifications and construction monitoring of the wetlands area located on the East half of the project site, as well as the professional services described in the attached scope of services "exhibit 1," for a total

amount not to exceed \$69,525.70. The Department of Water and Sewer is requesting the authority to spend a contingency amount, as needed, not to exceed \$25,000. (WATER AND SEWERS DEPT.)

- J.** Request permission to amend the contract issued to Parsons Water and Infrastructure, Inc. (Parsons), the firm selected by the City Council to perform engineering activities, including the drafting of the Request for Qualifications (RFQ) and Request for Proposals (RFP) to select a Design-Build-Operate (DBO) contractor for the 17.5 MGD Reverse Osmosis Water Treatment Plant, and issue a purchase order to Parsons for Task F Additional scope of services; Task F Additional consists of assisting the City in the oversight and management of the preparation of plans and specifications and construction monitoring of the wetlands area located on the East half of the project site, as well as the professional services described in the attached scope of services “exhibit 1,” for a total amount not to exceed \$28,824. The Department of Water and Sewer is requesting the authority to spend a contingency amount, as needed, not to exceed \$5,000. (WATER AND SEWERS DEPT.)
- K.** Request authorization to proceed with a citywide smoke testing program required by MDDERM, and issue a purchase order to Hazen & Sawyer, P.C., for a total amount not to exceed \$882,523. (WATER AND SEWERS DEPT.)
- L.** Request permission to waive competitive bids, since it is advantageous to the City, and utilize Hialeah Bid # 2008/9 3220-24-022 and a issue a purchase order to McMillan Oil Co., in the amount of \$42,380, to purchase Diesel fuel for the temporary at the Reverse Osmosis Water Treatment Plant. (WATER AND SEWERS DEPT.)
- M.** Request permission to make payments to the Hialeah Housing Authority, for a total amount not to exceed \$30,361, for Senior Citizen Activities. Further, request permission to make payments to the Hialeah Housing Authority, for a total amount not to exceed \$130,950, for the Hot Lunch Program. (OFFICE OF MANAGEMENT AND BUDGET)
- N.** Request permission to pay the following utilities and services: telephone, electricity, water, sewage disposal, solid waste dumping, postage and insurance, for a total amount not to exceed \$61,950,348. (OFFICE OF MANAGEMENT AND BUDGET)
- O.** Request permission to waive competitive bids and enter into a professional services agreement with Gabriel, Roeder, Smith and Company (GRS), for professional actuarial and consulting services including the Actuarial Valuation as of October 1, 2011 for the City of Hialeah Retiree Health Care Program under Governmental Accounting Standards Board Statement Number 45 (GASB 45), for a total amount not to exceed \$16,110. (OFFICE OF MANAGEMENT AND BUDGET)
- P.** Proposed resolution amending Section 2 of Hialeah, FL., Resolution 2008-153 (Oct. 28, 2008) to increase the estimated annual premium from \$547,000, Exclusive of the shared savings fee, to \$737,000, inclusive of the shared savings fee, for Group Health Claim Administrative Services based on the shared savings fee and the increase of the covered employees/retires from 1290 to 1410 for the calendar year 2011. (RISK MANAGEMENT DIV.)

- Q. Proposed resolution awarding Request for Proposal No. 2011/12-0240-36-006 to the lowest responsive response from a responsible company for Health Insurance coverage with Everest Insurance Company, a New Jersey Corporation, through its agent, MDW Insurance Group, Inc., a Florida Corporation, for calendar year 2012 at a rate of \$2.79 for each employee/retiree for each month for aggregate Stop Loss coverage in order that the insurance carrier will pay the City up to \$2,000,000 for each claim if paid claims exceed the predetermined aggregate Stop Loss Attachment Point and award Health Insurance coverage for calendar year 2012 at a rate of \$10.88 for single coverage and \$25.44 for family coverage for each employee/retirees for each month for specific excess coverage with no lifetime maximum, for a total amount not to exceed \$400,000 for calendar year 2012. (RISK MANAGEMENT DIV.)
- R. Proposed resolution, approving the expenditure totaling an amount not to exceed \$11,988.00 from The Law Enforcement Trust Fund - *Federal*, to purchase a one-year renewal subscription to the LEADSONLINE pawn shop automation system from Leadsonline, a *sole source vendor*, upon such costs having been approved by the Chief of Police. (POLICE DEPT.)
- S. Proposed resolution, approving the expenditure totaling an amount not to exceed \$25,000.00 from the Law Enforcement Trust Fund - *State*, to cover the cost of tuition for advance training for supervisory personnel, upon such costs having been approved by the Chief of Police. (POLICE DEPT.)
- T. Request permission to issue a purchase order to Florida Bullet, Inc., *sole source vendor*, to purchase ammunition, for a total amount not to exceed \$16,698, from the Law Enforcement Trust Fund – *Federal* – Operating Supplies – Ammo account, upon such costs having been approved by the Chief of Police. (POLICE DEPT.)
- U. Request authorization to enter into a professional services agreement with LPR Systems & Logistics, LLC, for the operation and maintenance of the LPR Reading System, designed to document vehicle movement around crucial infrastructure areas and facilities, for a total amount not to exceed \$45,000 from grant funds received for the Urban Areas Security Initiative (UASI) from the United States Department of Homeland Security. It is anticipated that the agreement will save the City an amount in excess of one hundred thousand dollars in personnel cost. (POLICE DEPT.)
- V. Request permission to issue a purchase order to Zoll Medical Corporation, *sole source vendor*, for equipment repair maintenance for Auto Pulse and Zoll Cardiac Monitors for the Fire Department, for a total amount not to exceed \$44,147.88 (FIRE DEPT.)
- W. Request permission to award Bid #2010/11-2000-12-047 for medical supplies to the lowest responsive bidders, and issue purchase orders to: Boundtree Medical, Midwest Medical Supply Company, S & W Healthcare and Henry Schein EMS, for a total cumulative amount not to exceed \$140,000. (FIRE DEPT.)
- X. Request permission to issue a purchase order to Zoll Medical Corporation, *sole source vendor*, to pay for Hosting Services Agreement for Rescue Net Maintenance and Support (10/1/11 through 9/30/13) for the Fire Department, for a total amount not to exceed \$75,936.65 annually. (FIRE DEPT.)

- Y.** Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Zoll Medical Corporation, for Defibrillator Pads, and Cardiac Monitor supplies for the Fire Department, for a total amount not to exceed \$35,000. (FIRE DEPT.)
- Z.** Request permission to utilize Minnesota Multi-State Contracting Alliance for Pharmacy (M.M.C.A.P.) Contract # MMS 24001, since it is advantageous to the City, to purchase pharmaceuticals, vaccines, and medical supplies, and issue a purchase order with Cardinal Distributors, for a total amount not to exceed \$70,000. (FIRE DEPT.)
- AA.** Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Elite Fire and Safety Equipment, Inc., *sole source vendor*, to purchase universal gold firefighting foam for the Fire Department, for a total amount not to exceed \$25,000. (FIRE DEPT.)
- BB.** Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Florida Coca-Cola Bottling Company, to purchase Coca-Cola products (soft drinks, cups, fountain products, etc.) to be sold at City concession stands and special events, for a total amount not to exceed \$30,000. (PARKS AND RECREATION DEPT.)
- CC.** Request permission waive competitive bids, since it is advantageous to the City, and issue a purchase to Pizzerias, LLC (d/b/a Papa John's Pizza), the City's exclusive pizza provider, to purchase pizzas that will be sold at City concession stands, as well as distributed during various special events throughout the year, for a total amount not to exceed \$30,000. (PARKS AND RECREATION DEPT.)
- DD.** Request permission to waive competitive bids, since it is advantageous to the City, and extend the current Citywide Janitorial Services Contract with Silva Management of Miami, Inc., for a term of one year, for a total amount not to exceed, \$261,212.88. Silva Management of Miami, Inc. has agreed to extend their current unit pricing for one year. (PURCHASING DIV.)
- EE.** Request from ABC Promotions Unlimited, Inc., for a Christmas Tree Sales Permit, to beginning November 1, 2011 and ending January 5, 2012, to be located at 1460 West 49 Street. (OFFICE OF THE CITY CLERK)
- FF.** Request to proceed with the connection of the City's sewer system to Pump Station 200, as per the City's agreement with MDDERM, and issue a purchase order to Williams Paving Company, Inc., since it is advantageous to the City, for a total amount not to exceed \$330,246.26. (WATER AND SEWERS DEPT.)
- GG.** Request permission to utilize Bid No. 2008/09-3220-24-022, Gasoline and Diesel Fuel, to the following companies: McMillan Oil Co. and Mansfield Oil Co., for an amount not to exceed \$1,400,000. (FLEET MAINTENANCE DEPT.)
- HH.** Request permission to increase and extend purchase orders related to Hialeah Bid #2010/11-3220-24-010, Gasoline and Diesel Fuel, due to unforeseen increased unit cost of

fuel, to the following companies: McMillan Oil Co. and Mansfield Oil Co., for an amount not to exceed \$465,900. (FLEET MAINTENANCE DEPT.)

- II.** Request permission waive competitive bids, since it is advantageous to the City, and award SIRSIDynix, *sole source vendor*, for the maintenance and support for the system and receive upgrades for the web-based library automation system, for a total amount not to exceed \$30,831.34. (LIBRARY DIVISION)
- JJ.** Proposed resolution authorizing the Mayor and/or his designee to enter into an agreement with Miami-Dade County under the FY 2012 Edward Byrne Memorial Justice Assistance grant program, for the total amount of \$25,133 to continue the provision of funding for the City's Domestic Violence Program. (GRANTS & HUMAN SERVICES DEPT.)
- KK.** Request permission to issue a purchase order to EnRoute Emergency Systems (formerly GEAC), *sole source vendor*, to provide payment for maintenance services rendered to the Police and Fire Computer Aided Dispatch and Records Management Systems during Fiscal Year 2011-12, for a total amount not to exceed \$210,640.36. (INFORMATION TECHNOLOGY DEPT.)
- LL.** Request permission to issue a purchase order to EnRoute Emergency Systems (formerly GEAC), *sole source vendor*, to provide annual maintenance to the Wireless E911 Mapping Interface and ProQA Software, for a total amount not to exceed \$25,812.33. (INFORMATION TECHNOLOGY DEPT.)
- MM.** Request permission to authorize the Information Technology Department, pursuant to Hialeah Code 2-818, to utilize whenever advantageous to the City, competitive bids that have been properly awarded or are under contract by the state, county or other governmental agencies, to purchase software, computer and network equipment, thus negating the need for the City to conduct its own bid. (INFORMATION TECHNOLOGY DEPT.)
- NN.** Request permission to issue a purchase order to Replay Systems, Inc., *sole source vendor*, to cover expenses associated with the maintenance of the E911 Call Center Active Voice Recording System through September 30, 2012, for a total amount not to exceed \$25,098. (INFORMATION TECHNOLOGY DEPT.)
- 3.** Second reading and public hearing of proposed ordinance revising the final Hialeah, Fl., Land Development Code to reflect pertinent changes to the Hialeah Code and relevant changes in state law enacted since the date of the last revision, including, but not limited to, amending Regulation No. 2. Uses of Land and Water, Land Development Regulation No. 7 entitled "Sign Regulation" and Land Development Regulation No. 10. subdivision of Land; repealing all ordinances or parts of ordinances in conflict therewith; providing penalties for violation hereof; providing for inclusion in the Hialeah, Fl., Land Development Code and the Hialeah Code; providing for a severability clause and providing for an effective date.(PLANNING AND ZONING DIV.)
- 4.** Second reading and public hearing of proposed of proposed ordinance granting an easement to Florida Power & Light Company, a Florida corporation, for construction, repair and replacement of its underground facilities in order to serve the Hialeah Reverse Osmosis Water

Treatment Plant, in substantially the form as attached as exhibit "1" The easement located adjacent to and within theoretical NW 166 Street, extending in an easterly direction from NW 107 Avenue, Hialeah, Florida. Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (LAW DEPT.)

5. Board Appointments
6. Unfinished Business
7. New Business
8. Comments and Questions

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

ZONING

- PZ.1** Second Reading and public hearing of proposed ordinance rezoning from R-1 (One Family Residential District) to R-2 (One and Two Family Residential District) and granting a variance permit to allow a duplex on a substandard-sized lot having a width of 60 feet, where a minimum average width of 75 feet is required, to allow a lot coverage of 35%, where a maximum of 30% is allowed, to allow one unit with a west side setback of 6.34 feet, where at least 7.5 feet are required, and a second unit with a rear setback of 10.80 feet, where a minimum of 25 feet is required, contra to Hialeah Code §§ 98-544, 98-546, 98-547(a), and 98-2056(b)(2). **Property located at 831 East 18 Street, Hialeah.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. Applicant: JCLF Investment Group, LLC, c/o Cesar Mestre, Esq.
- PZ. 2** Second Reading and public hearing of ordinance granting a Conditional Use Permit (CUP) to allow a house of worship pursuant to Hialeah Code §98-181(2)(f) on the second floor of a two story retail commercial building, and granting a variance permit to allow a front setback of 5 feet, where 20 feet are required, for a proposed two story commercial building, and to allow a rear setback of 6 feet, where 15 feet are required, for a proposed three story parking garage, contra to Hialeah Code §§ 98-1069(a) and 98-1071, on property zoned C-1 (Restricted Retail Commercial District). **Property located at 8155 West 12 Avenue, Hialeah.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. Applicant: Daniel Caamano
- PZ. 3** Second Reading and public hearing of ordinance granting a variance permit to allow a lot coverage of 46%, where a maximum of 40% is allowed; and allow a rear setback of 18 feet,

where 20 feet are required, contra to Hialeah Code §§ 98-591, and § 98-2056(b)(3). **Property located at 5700 West 21 Ave, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. Applicant: Elba E. Antunez

FINAL DECISION

FD.1 Proposed resolution approving the Final Decision of the Planning and Zoning Board, Decision No. 11-12 that granted adjustments on condition that all improvements built without the benefit of a building permit be legalized within 180 days from the effective date of this resolution, on property located at **610 East 8 Court, Hialeah, Florida;** and providing for an effective date. Applicant: Jose Raul Figueroa

NEXT CITY COUNCIL MEETING: October 25, 2011 AT 7:00 P.M.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).